

MINUTES

CITY COUNCIL MEETING

SEPTEMBER 28, 2004

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

PLEDGE OF ALLEGIANCE

MAYOR MITCHELL led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Staff Present: City Manager Doug Prichard

City Attorney Richard Terzian

Assistant City Manager Sam Wise

Planning Director David Wahba

Community Services Director Andy Clark

Administrative Analyst Greg Grammer

Others Present: Dale Allen, Park and Activities Commission

Dan O'Day, Planning Commission

CEREMONIAL ITEMS

NONE

ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF SEPTEMBER 14, 2004

Discussion ensued regarding clarification under Old Business, Item A. MAYOR MITCHELL explained that it is her intent to conduct a detailed survey of all the Maintenance Department's duties in order to identify any areas that can be run more efficiently.

City Manager Prichard noted that a detailed formal contract will be brought back for COUNCIL consideration.

MAYOR MITCHELL requested the following amendment on Page 9, Paragraph 9:

*"MAYOR MITCHELL noted that **disabled** individuals may use the Nature Center restroom facilities, but the community room's accommodations should be functional."*

B. DEMANDS AND WARRANTS – SEPTEMBER

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO Approve Warrants 36222 through 36285 for a grand total amount of \$228,555.04 with proper audit.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

CONSENT CALENDAR

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ITEMS A-D.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. AUGUST 2004 SCHEDULE OF INVESTMENTS

Recommendation: That the City Council receive and file the Schedule of Investments Report for the month of August 2004.

RECEIVED AND FILED.

C. PLANNING APPLICATION NO. 39-00; APPLICANT: CREST ROAD HOMES LLC (THE LEE GROUP); LOCATION: PEPPER TREE LANE (NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND CREST ROAD)

Recommendation: That the City Council release the road bond in the amount of \$80,000 (Bond #3SM 046 145 00).

RELEASED THE ROAD BOND IN THE AMOUNT OF \$80,000 (BOND #3SM 046 145 00).

COUNCILMAN ZUCKERMAN reported that the sign for this development has illuminating lights that do not shine directly on the lettering. It was noted that staff will investigate this further.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 10, 2004

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

A. Dale Allen, Park and Activities Commission, pointed out a small correction in the September 14, 2004 COUNCIL minutes. It was so noted.

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public. ***(Taken out of order)***

A. LETTER REQUESTING A RESOLUTION OPPOSING LAX EXPANSION

MAYOR MITCHELL commented that she was asked by Los Angeles County Supervisor Knabe to oppose the plan to expand LAX. She noted that the South Bay Cities Council of Governments (SBCCOG) has been active in this effort, as well as, COUNCILWOMAN SEAMANS.

Tom Martin, Deputy Supervisor, Supervisor Knabe's Office, distributed a site plan of the proposed expansion to the COUNCIL. He noted that the master plan consists of several separate expansion projects, and although the County agrees with much of the proposal, there is major concern that the plans do not limit the annual number of passengers to 78 million, which is the County's preferred number. He

went into lengthy detail on the planned improvements for the airport noting that this will dramatically impact traffic. He commented that the community's tranquility is at stake and requested COUNCIL adopt a resolution opposing this plan.

COUNCILMAN ZERUNYAN noted that he has not discussed this plan with the Los Angeles World of Airports, whom he represents, and recused himself from any participation in this matter.

After brief discussion, it was the consensus of the COUNCIL to direct staff to bring back a resolution opposing the LAX expansion plan unless it contains an enforceable cap of 78 million annual passengers.

PUBLIC HEARINGS/MEETINGS

A. JOINT NATURAL HAZARDS MITIGATION PLAN

Recommendation: That the City Council: 1) Open the public hearing; 2) Receive any public testimony; 3) Close the public hearing; and 4) Approve Resolution No. 2060 adopting the Joint Natural Hazards Mitigation Plan.

Administrative Analyst Grammer provided a staff report (as per agenda material).

Carolyn Harshman, Consultant, noted that she has extensive experience in the Los Angeles basin and commended the City for joining with the City of Rancho Palos Verdes on this plan since any natural hazardous activity may affect surrounding cities.

Scott Gobble, Southern California Edison, also commended the Cities of Rolling Hills Estates and Rancho Palos Verdes on this joint mitigation plan. He reported that SCE is sending 14 crews to Florida to assist in the hurricane damage.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Christina Zimmerman, 19 Ranchview, Citizens Advisory Board for the Palos Verdes Landfill, noted she supported this plan as well. She indicated that she met with the Sanitation Districts, and reported that they do not intend to comply with the disaster mitigation plan as they would not be utilizing FEMA funding since they have their own "site restoration fund." She noted items of concern regarding this site and wanted to bring them to the COUNCIL'S attention.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

COUNCILMAN ZUCKERMAN noted his primary concern is the gas collection pipes in the event of a sudden disaster. In regards to FEMA funds, he indicated that this issue needs to be addressed with the Sanitation Districts and be incorporated into this plan so as to provide reasonable response to an incident.

MAYOR MITCHELL noted that this plan is expected to be amended and modified over time, but the original plan must be approved by November 1.

MAYOR PRO TEM ADDLEMAN stated that the subcommittee added 20 additional mitigation measures to the plan to coordinate with the Sanitation Districts.

COUNCILMAN ZERUNYAN commented that the City will continue to work with Los Angeles County to ensure that an appropriate mitigation response plan is in place. He noted his confidence that this is understood by the Sanitation Districts and thanked Ms. Zimmerman for bringing this to the COUNCIL'S

attention.

MAYOR MITCHELL noted she had spoken with Jim Stahl, Sanitation Districts General Manager, and received a positive response that they will work with the City on this issue.

1. RESOLUTION NO. 2060 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING THE JOINT NATURAL HAZARDS MITIGATION PLAN IN ACCORDANCE WITH THE DISASTER MANAGEMENT ACT OF 2000.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT RESOLUTION NO. 2060.

City Manager Prichard read Resolution No. 2060 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF SEPTEMBER 20, 2004

MAYOR PRO TEM ADDLEMAN called up for public hearing PA-28-03; Applicant: Ken Shoor; Location: 17 Silver Saddle Lane.

MAYOR MITCHELL called up for public hearing PA-31-04; Applicant: The Elder Group; Location: 608 Silver Spur Road.

COUNCILWOMAN SEAMANS called up for public hearing PA-27-03; Applicant: Judy Chai; Location: 5883 Crest Road.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF SEPTEMBER 20, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF SEPTEMBER 21, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF SEPTEMBER 21, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

C. RESOLUTION NO. 2061 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES SUPPORTING PROPOSITION 1A.

It was noted that the League of California Cities negotiated with Governor Schwarzenegger to protect local government funds from future raids by the legislature.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO ADOPT RESOLUTION NO. 2061.

City Manager Prichard read Resolution No. 2061 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILMAN ZERUNYAN noted he had received feedback regarding maintenance of the Municipal Stables. He requested staff address this issue at an upcoming meeting.

City Manager Prichard reminded the COUNCIL that this matter was discussed a year ago, and staff was given direction to undertake only those improvements needed for the health and safety of the public because of the possibility of relocation required by the County's proposed golf course. He noted an update will be provided at an upcoming meeting.

CITY ATTORNEY ITEMS

A. City Attorney Terzian noted he testified before the California Performance Review Commission on September 27, 2004 on the subject of state government reorganization.

CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

A. CITY PROPERTY REUSE COST ESTIMATES

Recommendation: That the City Council direct staff as to the future development and funding of the Community Center project, including landscaping, building improvements and guidelines for use.

Community Services Director Clark provided a staff report (as per agenda material).

Discussion ensued regarding the proposed improvements to the community room.

Discussion continued regarding the reservation guidelines for various groups. MAYOR MITCHELL suggested a seven-day advance notification, and if that group wishes to book another meeting, they may request another seven-day advance date.

MAYOR PRO TEM ADDLEMAN inquired as to how the proctor will be compensated. Community Services Director Clark indicated that the City pays a member of the tennis club staff for this function.

In regards to allowing food and drinks, MAYOR MITCHELL suggested the patio be used for this purpose.

COUNCILMAN ZERUNYAN reiterated that cookies and soft drinks should not be a problem.

COUNCILMAN ZUCKERMAN noted his concern that, if the room was not cleaned up, the organization should be denied use of the room.

It was the consensus of the COUNCIL to revisit this issue if it becomes problematic.

MAYOR PRO TEM ADDLEMAN commended the subcommittee on a fine job in moving this project forward.

COUNCILMAN ZERUNYAN was pleased to report that he has received commitments from various organizations for donations to this project and is confident he will be able to raise a substantial portion to fund improvements of the community room.

It was noted the City's responsibilities would include the monument sign and landscaping.

COUNCILWOMAN SEAMANS suggested an initial amount of \$10,000 be designated for this project.

Discussion ensued regarding landscape treatments on all four corners of the adjacent intersection.

COUNCILWOMAN SEAMANS noted that a dialogue with the Butchers would be beneficial regarding these corners prior to making a decision.

MAYOR MITCHELL suggested that the landscape architect might want to coordinate the Butcher property with the community room.

COUNCILMAN ZUCKERMAN indicated he would not like to see the Butcher plans hold up the City.

COUNCILMAN ZERUNYAN stated it would be helpful to have funding earmarked for this project.

It was noted the City will be responsible for landscaping, monument sign and three-rail white fencing while donations may be used for carpet, paint, tables and chairs, etc.

After brief discussion, COUNCILWOMAN SEAMANS suggested starting on the interior of the building.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO DIRECT STAFF TO: 1) EARMARK \$10,000 FOR THE COMMUNITY CENTER; 2) BRING BACK A BUDGET ADJUSTMENT IDENTIFYING FUNDING SOURCES; AND 3) APPLY ANY DONATIONS FOR IMPROVEMENTS TO THIS SITE THROUGH THE PEPPER TREE FOUNDATION.

City Manager Prichard requested that overflow parking not be directed to the unimproved lot adjacent to Palos Verdes Drive East as there is no lighting in that area at night.

After brief discussion, it was noted a sign should read "No Community Center parking on Hitching Post" and if a problem should occur, the COUNCIL will address it at that time.

COUNCILMAN ZUCKERMAN suggested spreading the word to scout troops who wish to utilize this room.

COUNCILMAN ZUCKERMAN also suggested the community room be named in former Councilman Peter Weber's memory. It was noted that staff will investigate an appropriate memorial for COUNCIL consideration.

COUNCILMAN ZUCKERMAN stated his belief that the Peninsula Center entryway signs are confusing and suggested COUNCIL might want to consider a name change for the commercial district.

B. REFUSE FRANCHISE RENEWAL COMMITTEE REPORT

MAYOR PRO TEM ADDLEMAN reported that he, along with COUNCILMAN ZERUNYAN, participated in the interviews for trash haulers. He noted that a community workshop will be held tentatively on October 13, 2004. Additionally, he stated that a committee recommendation will be brought back to the COUNCIL on October 26.

C. MAYOR MITCHELL noted that the Rolling Hills Covenant Church Subcommittee will meet on Wednesday, September 29.

D. MAYOR PRO TEM ADDLEMAN reported that the City is investigating a matter at 42 Shady Vista.

At 9:31 p.m. the CITY COUNCIL convened in closed session. At 11:35 p.m., the CITY COUNCIL reconvened in open session with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN in attendance.

CLOSED SESSION**A. DISCUSSION WITH RESPECT TO PERSONNEL MATTERS****1. ANNUAL CITY MANAGER PERFORMANCE EVALUATION**

NO ACTION WAS TAKEN.

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendaized for future consideration and/or make announcements of interest to the public. ***(Continued)***

B. SECOND AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT

Following discussion, COUNCIL deferred this item to the next meeting.

ADJOURNMENT

At 11:55 p.m., MAYOR MITCHELL formally adjourned the City Council meeting to a Tuesday, October 12, 2004 at 7:30 p.m.

Respectfully submitted, Approved,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Clerk